

STATE OF NEW JERSEY  
Office of the Attorney General  
Department of Law and Public Safety  
Division of Gaming Enforcement

Application of Nanking Atlantic City, Inc. t/a	)	
Nanking Asian Fusion Cuisine for a Casino Hotel	)	ORDER
Alcoholic Beverage (CHAB) License	)	(Issuance of CHAB License)
	)	3333-01-079-001

By its Application, Nanking Atlantic City, Inc. t/a Nanking Asian Fusion Cuisine (“Nanking”), VRF #84256, Log #008-73, seeks to obtain a Casino Hotel Alcoholic Beverage (“CHAB”) license as required to operate within the casino hotel facility of Bally’s Atlantic City (“Bally’s”).

Having considered the relevant provisions of the Casino Control Act, *N.J.S.A. 5:12-1 et seq.*, and pursuant to the Division of Gaming Enforcement’s authority to issue a CHAB license under *N.J.S.A. 5:12-103(a)*, I hereby ORDER that the request be granted and that Nanking be issued a CHAB license, number **3333-01-079-001**, with the following conditions:

1. Nanking is authorized as a Type II CHAB location in Bally’s as depicted on the architectural drawings submitted in connection with Nanking’s license application. This entitles Nanking to sell alcoholic beverages by the glass or other open receptacle for on-premise consumption as well as to possess or store alcoholic beverages within its authorized location.
2. The Division reserves the right to suspend, limit, condition or revoke Nanking’s CHAB license or to take any other actions authorized by and pursuant to *N.J.S.A. 5:12-109* and *129* in appropriate circumstances.
3. The Division retains the right to take any and all action authorized by the Casino Control Act regarding the suitability of Nanking to transact business with Bally’s including those vendors operating within that casino hotel.

4. Nanking shall not transfer any ownership interest, except between existing natural person or entity qualifiers, without first receiving prior written approval from the Division.
5. Nanking shall not enter into any management agreement, profit sharing agreement, franchise agreement or service agreement with any person or entity in connection with the operation of the premises without first receiving prior written approval from the Division.
6. Nanking shall not amend or assign its lease with Bally's without first receiving prior written approval from the Division.
7. Nanking is to comply with the provisions of *N.J.S.A. 33:1-25* and *26*, *N.J.A.C. 13:2-14.5*, as well as *N.J.A.C. 13:69I-1.5*, *2.2* and *2.3*, which pertain to employment eligibility in a licensed CHAB facility.
8. Nanking is to maintain on its premises at Bally's an updated and current Employee Listing pursuant to *N.J.A.C. 13:69I-2.3(a)* and provide a copy of this listing to the Division on the first day of each calendar quarter pursuant to *N.J.A.C. 13:69I-2.3(d)*. The listing must also be available for inspection upon request by staff of the Division.
9. Nanking must obtain all necessary approvals required by other governmental agencies prior to the sale of any alcoholic beverages. Nanking is also required to update and maintain any of these approvals as appropriate.
10. Nanking is an applicant for a Casino Hotel Alcoholic Beverage Casino Service Industry (CHAB CSI) license. Should Nanking be later found by the Division to be unqualified to hold such CHAB CSI license, the CHAB license issued to Nanking will be automatically revoked upon that determination.
11. Nanking will comply with all requirements attendant to Type II CHAB authorization, pursuant to *N.J.S.A. 5:12-103g(2)*, and with all applicable alcoholic beverage laws and regulations of the New Jersey Division of Alcoholic Beverage Control and the Division of Gaming Enforcement.
12. Nanking will train its employees and implement procedures to insure that the service of alcoholic beverages on its licensed premises will be only to those patrons who are over the age of 21 and who are not actually or apparently intoxicated.

Dated: December 6, 2011

  
DAVID REBUCK  
ACTING DIRECTOR